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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,914	02/04/2002	Michael J. Wookey	P7234	5971

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HAMILTON & TERRILE, LLP
P.O. BOX 203518
AUSTIN, TX 78720

EXAMINER

HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/066,914	Applicant(s) WOOKEY ET AL.	
	Examiner Brandon S. Hoffman	Art Unit 2136	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspond nc addr ss --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-9,11-15,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-9,11-15,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6-20-06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 5-9, 11-15, 19, and 20 are pending in this office action. Claims 3, 4, 17, and 18 are newly canceled.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 29, 2006, has been entered.
3. Applicant's arguments, filed July 29, 2006, are moot in view of the new ground of rejection.

Claim Objections

4. Claims 11-14 are objected to because of the following informalities: claim 11 depends from a canceled claim; the remaining claims depend from claim 11. Appropriate correction is required.

Claim Rejections

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Jacobson et al. (U.S. Patent No. 6,044,402).

Regarding claim 9, Jacobson et al. teaches a method of confirming the identity of a message sender on a remote services system, comprising:

- Obtaining a first identity related to a message, said first identity being obtained from a network software layer in said remote services system (col. 22, lines 47-56);
- Obtaining a second identity related to the sender of a message, said second identity being obtained from an application software layer in said remote services system (col. 22, lines 56-63); and

- Comparing said first identity with said second identity to verify the identity of the sender of said message (col. 22, line 63 through col. 23, line 5).

Regarding claim 11, Jacobson et al. teaches further comprising encrypting said message and said identities in an encryption module in said remote services system (fig. 15, ref. num 234 and col. 20, lines 24-37).

Claim Rejections - 35 USC § 103

8. Claims 1, 5-8, and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. (U.S. Patent No. 6,044,402) in view of Bisbee et al. (U.S. Patent No. 5,729,537).

Regarding claims 1 and 15, Jacobson et al. teaches an architecture/method for confirming the identity of a message sender on a remote services system, comprising:

- A communications module operable to transmit a message (fig. 1, ref. num 102);
- A cryptographic module in said communications module for providing encryption of a data stream in said message (fig. 15, ref. num 234 and col. 20, lines 24-37);
- A mid-level manager operating **in said remote services system** in conjunction with said communications module for controlling the flow of messages in said remote services system: **between a customer proxy and an applications server** and for verifying the identity of a sender by comparing first and second data identities in said data stream (abstract) wherein said first data identity

comprises data in a network software layer, said second identity comprises data in an application software layer (col. 22, line 47 through col. 23, line 5).

Jacobson et al. does not teach the encryption by **said cryptographic module comprises secure sockets layer encryption.**

Bisbee et al. teaches the encryption by **said cryptographic module comprises secure sockets layer encryption** (col. 9, lines 25-40).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine using secure sockets layer encryption, as taught by Bisbee et al., with the architecture/method of Jacobson et al. It would have been obvious for such modifications because SSL uses secret symmetric keys, which are faster for encryption/decryption and well adapted for use over HTTP.

Regarding claims 5 and 19, Jacobson et al. as modified by Bisbee et al. teaches wherein said mid-level manager is a customer mid-level manager (see fig. 7 of Jacobson et al., the NCB is part of a host computer).

Regarding claims 6 and 20, Jacobson et al. as modified by Bisbee et al. teaches wherein said mid-level manager is an aggregation mid-level manager (see fig. 17 of Jacobson et al., the NCB is a part of a subnet of host computers).

Regarding claims 7, 8, 13, and 14, Jacobson et al. as modified by Bisbee et al. teaches wherein transmission of said message is conditioned on HTTP and on an email protocol (see col. 4, lines 8-29 and fig. 2 of Jacobson et al.).

Regarding claim 12, Jacobson et al. as modified by Bisbee et al. teaches said cryptographic module using secure socket layer encryption (see col. 9, lines 25-40 of Bisbee et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Branda H

BH

**NASSER MOAZZAMI
PRIMARY EXAMINER**

[Signature]
8/11/06